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# The Swiss Observer

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## HOME NEWS

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### FEDERAL.

#### SWISS DIPLOMAT'S JUBILEE.

Dr. Max Jaeger, Swiss Minister in Vienna has celebrated his 25th Anniversary since his entry into the diplomatic service of the Confederation.

#### NEW SWISS CONSULATE IN DUBLIN.

The Federal Council has decided to open a Consulate at Dublin.

#### PROFESSOR HUBER AS ARBITRATOR.

The Norwegian Government has appointed Professor, Dr. Max Huber arbitrator in their dispute with Poland.

#### PRESIDENT HINDENBURG'S PRESENT FOR THE "TIR FEDERAL."

The German Ambassador in Berne has presented to the Federal Council a large piece of china, depicting an eagle, as a personal gift from Reichs Präsident v. Hindenburg for the Tir Federal in Fribourg.

#### DEPARTURE OF BELGIAN DIPLOMAT.

The Federal Council has offered a Banquet to M. le Jeune de Munsbach, the Belgian Ambassador, on the occasion of his retirement from his post.

Count Louis D'Ursel from the Foreign Office at Brussels has been appointed Belgian Ambassador in Berne.

#### GERMAN-SWISS CLEARING AGREEMENT.

A clearing agreement was concluded between Germany and Switzerland. The money for German imports will be paid into the Swiss National Bank, and German tourists will be allowed to have £38 a month.

### LOCAL.

#### BERNE.

M. Hans Zimmerman has been appointed Manager of the Municipal Theatre in Berne, it is the first time that a Swiss has occupied this position.

\* \* \*

The death is reported from Berne of Dr. Jakob Steiger, editor of the "Basler Nachrichten" and Professor of the University of Berne, at the age of 74.

\* \* \*

Dr. Robert Käslin, who recently retired from his post as Federal Chancellor has died in Berne. He was born in 1871 at Aarau where he received his schooling, afterwards he studied law at the Universities of Heidelberg, Munich, Berne and Freiburg i. Br. From 1900-1901 he was clerk of the Court at Baden, and a year later he entered into the services of the Confederation. In 1918 he was appointed Vice-Chancellor and seven years later he succeeded to the Chancellorship which post he held with great distinction. Federal Councillor Schulthess represented the Government at the Funeral.

\* \* \*

LUCERNE.

Dr. August Lehner, a noted surgeon at St. Gall has been elected chief surgeon at the Cantonal Hospital at Lucerne.

#### ZUG.

M. J. Hildebrand, States Councillor, has celebrated his 80th birthday anniversary. M. Hildebrand entered Parliament in 1886 and presided over the States Council in 1898/99.

#### BASLE.

M. August Schetty-Strübin, Manager of the Färberrei Schetty was badly injured when his car collided with a lorry near Kleinrütingen, he was taken in a serious condition to the Clara Hospital. M. Schetty is a member of the Grand Council and a wellknown personality in Swiss Sporting circles.

## ST. GALLEN.

Mme. Helene Vetch, widow of Dr. Vetch a well-known eye specialist, who recently died, has left an amount of 217,000 frs. for various charitable institutions.

## FREEDOM OF TRADE, INDUSTRY AND LABOUR. \*

By DR. BRENNO BERTONI (*States Councillor*).

In my "Diritto Pubblico Svizzero" I have endeavoured to show the interdependence of these three personal liberties to which may be annexed a fourth, that of residence. In my lecture at Misox on "The economic conditions of the Peoples of the mountain since the War" I have tried to show the enormous importance that the appearance of these liberties, that constitute "economic liberalism" have had for our people, from the French Revolution onwards, as also the disastrous consequence which their disappearance in our valleys may entail.

Before the great revolution, that which takes its name from France where it began, but which was a real general revolution of the Western World, America included, there obtained in all Europe a corporative system (I say, a system, in the singular, because of such there may be several).

Man was bound to his land if a peasant, to his craft, if an artisan. To the nobles all kind of servile work was prohibited under the penalty of losing their nobility. There remained open, however, one way to escape from one's station and rise on the social ladder, that of enrolling as a soldier for at that time no national armies were in existence, while the communal militias had long disappeared.

The inhabitants of the mountains provided the royal armies in all Europe with new supplies: Swiss Graubündner, Tyrolese, Piedmontese, Savoyards, Albanese and Basques. The Swiss Cantons supplied the best troops in the world, not only for valour, but for moral education and loyalty. The Ticinesi, who were by medieval tradition masons, had a chance of escaping the rigours of the closed guilds, especially as they had obtained, by means of treaties, a certain amount of freedom of occupation in those Royal States who had contracted military capitulations with the Swiss Leagues, particularly Piedmont. Other Ticinesi, who were not masons, as for instance 'Bleniesi' and 'Leventinesi' achieved a wide possibility of employment in the Lombard Metropoles thanks to the protection of the Diocesan authorities. No 'Luganese' or 'Locarnese' or 'Vallerano' would have been able to settle in France or in Great Britain as caterer, artisan or merchant, unless he succeeded in gaining admission to the particular corporation, more often than not by marrying into a 'privileged' family.

Only on the advent of the new régime with its personal economic freedom did it become possible for foreign labourers and merchants to invade our territory while our own spread to all parts of the globe. This phenomenon was called: economic liberalism. Freedom of residence, freedom of occupation and, above all, freedom of exchange between nations, unity of weights and measures, unity or at any rate stability of currencies, were its pillars.

Now all this moral wealth of civilization has gone. As I have already shown, the decadence of the system of economic freedom began, already before the War with protectionism. Now free trade is dead. Now liberty of residence is dead. Now freedom of work is dead. If a foreigner wishes to settle in our midst he must bind himself to inactivity. The first commandment given by God unto man, according to Genesis, has been reversed. "Thou shalt NOT earn thy bread by the sweat of thy brow. 'You are liked only when your money (even if stolen) affords you an idle and vagabond existence in our hotels.'

Some months ago a conference was called to discuss a tariff truce. We sent Mr. Stucki with the title of Minister. Mr. Stucki returned and reported that the tariff war was raging more bitter than ever; that the Swiss merchant can no longer buy his grain, his rice, his leather from an American, Italian or Hungarian merchant, but that the Swiss Government will arrange the exchange of goods with those countries on

the following basis: You buy from me so much cheese and I buy from you so much poultry; I give you this much machinery, and you give me that much grain. What Switzerland buys is then distributed in quotas to her former importers. He who bought say hundred in 1932, will receive a quota of so much per hundred; he who enters the trade will instead receive nothing at all; he is precluded from trading in the particular branch.

And in conditions such as these there are still men of good, or bad, faith who invoke article 31 of the Federal Constitution (freedom of trade) with its several corollaries.

In my capacity as member of the Customs Commission I have protested against this equivocal position in regard to freedom of trade both in my speeches and in my writings, and quite recently in the Council of which I am a member.

My thesis is pretentious perhaps, presumptuous if you like, but I maintain that freedom of trade and of labour internally presumes freedom in the exchange of goods and labour in our external relations. There is no necessity and no opportunity, in my opinion, to mend article 31 of the Federal Constitution in the unsettled political and economic conditions of to-day; I say that article 31 is suspended in effect, failing the international presumptions on which it is founded. The same I would say in regard to freedom of residence and work. In order to reassert the legality and to justify the measures of our Police Department, and those of our Department of Commerce, an authentic interpretation of the Federal Chambers is needed, stating clearly that the economic liberties guaranteed by the Constitution remain in being as guiding principles, but are suspended in their application in so far as they are not compatible with the actual conditions ruling in foreign markets. From this interpretation I would deduce that the powers that be—the people—governments and legislative councils, are temporarily free to act according to the exceptional circumstances rather than according to rule. It would follow also that in their actions these bodies will bear in mind the rules to which one hopes, and wishes, to return if and when possible.

In so far as one may still hope for definite results from international conferences, and so long as one may air one's opinion unhindered, we must defend those liberal principles that have inspired our history, and not hasten to disavow them while there remains hope that they may revive.

I understand, and admit, that one may think of a constitutional reform in these matters, seizing the opportunity offered by momentary confusion in order to create a new order of things, but I fail to rid myself of the fundamental notion that economic changes need a gradual, slow, indeed very slow, elaboration.

I may be wrong, but I know for a fact that Roman capitalism declined slowly, not in one blow, and that in its place feudalism grew up, not by virtue of decrees and sovereign edicts, but by natural development. I know that the medieval corporative system was born almost by spontaneous generation, that the corporation begot the commune, that the bourgeois City generated capitalism; I know that the latter is deteriorating just as much marxism; I can see in fact that the economic rule of the Western World is in the throes of a crisis, that the social body politic has a high temperature, and I am fairly convinced that the moment is propitious for a surgical operation.

Now one may talk, not only of the need for political reforms, but I believe they should be initiated without delay. However, I do not think that one can in the present abnormal conditions crystallize new economic systems without running the serious risk of having to regret them, or denounce them very soon. It is true that the system of economic individualism has ceased to be a dogma, but for this reason it suffices to rid the present day texts of their dogmatism and introduce the experimental principle without substituting them in any way by new texts. Social economy's Mohammed is yet to be born, and a new Koran is not desirable, either with marxist or fascist inspiration.

\* The above is a translation of an article which recently appeared in the "Il Dovere."